

STATE OF RHODE ISLAND
AND PROVIDENCE PLANTATIONS

DEPARTMENT OF HEALTH
HEALTH SERVICES REGULATION
THE NURSING ASSISTANT
ADVISORY BOARD

vs.

A.H. FILE NO. (HSR) 2002-17

JANICE TEFFT, N.A.

CONSENT ORDER

This matter is before the Rhode Island Department of Health, (hereinafter "Department"), Nursing Assistant Advisory Board, upon matters contained in an Administrative Hearing Notice issued to Janice Tefft, N.A. (hereinafter "Respondent") on 21 March 2002. Specifically, it was alleged that "Respondent", on various dates prior to 10 September 2001 while employed as a Nursing Assistant at Blackstone Valley Assisted Living Facility in Central Falls, Rhode Island, did abuse and neglect a resident and did engage in a sexual relationship with a resident.

Pursuant to Section 23-17.9-8(1)&(5), this conduct constitutes unprofessional conduct in the State of Rhode Island and, as such, constitutes grounds for disciplinary action.

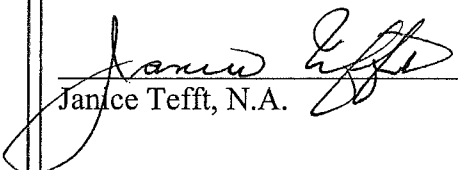
Prior to the date set for hearing, a prehearing conference was held between the parties and it was agreed as follows:

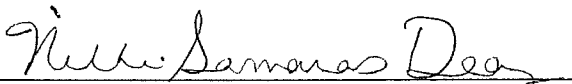
1. "Respondent" is a Nursing Assistant and able to conduct business in the State of Rhode Island.
2. "Respondent" admits to the jurisdiction of the "Department" and hereby agrees to remain under the jurisdiction of the "Department".
3. "Respondent" has read this Consent Order and understands that it is a proposal of the "Department" and is subject to the final approval by the "Department". This Consent

Order and the contents thereof are not binding on "Respondent" until final approval by the "Department".

4. Respondent hereby acknowledges and waives:
 - a) The right to appear personally or by counsel or both before the "Department";
 - b) The right to produce witnesses and evidence in her behalf at a hearing;
 - c) The right to cross-examine witnesses;
 - d) The right to have subpoenas issued by the "Department";
 - e) The right to further procedural steps except for those specifically contained herein;
 - f) Any and all rights of appeal of this Consent Order;
 - g) Any objection to the fact that this Consent Order will be presented to the "Department" for consideration and review;
 - h) Any objection to the fact that it will be necessary for the "Department" to become acquainted with all evidence pertaining to this matter in order to adequately review this Consent Order;
 - i) Any objection to the fact that potential bias against the "Respondent" may occur as a result of the presentation of this Consent Order to the "Department".
5. This Consent Order shall become part of the public record of this proceeding once it is accepted by all parties.
6. "Respondent" neither admits nor denies the facts which form the basis of this Consent Order.
7. Failure to comply with the Consent Order, once signed and accepted, shall subject the "Respondent" to further disciplinary action.

8. "Respondent's" license as a Nursing Assistant shall be suspended for a period of at least one (1) year.
9. At the time "Respondent" seeks reinstatement of the Nursing Assistant license, she shall submit documentation to the Department evidencing that she is capable and competent to engage in the practice of nursing assisting. Such documentation to the "Department" shall include, but not be limited to, evidence and reports from a mental health care professional that the "Respondent" has consistently been undergoing treatment; a report of an independent evaluation by a health professional approved by the "Department" with respect to "Respondent's" capability and competency to practice as a Nursing Assistant; evidence of completion of training in Patient Rights, Patient Abuse, Workplace Violence and Confidentiality; and such other information as the "Department" may deem appropriate at that time.
10. That the suspension of "Respondent's" license to practice nursing assisting shall remain in full force and effect pending further order of the Department.
11. That this Consent Order shall constitute a final disposition of the matters contained in the Administration Hearing Notice dated 22 January 2002.


Janice Tefft, N.A.


Nikki Samaras Deary, Chief
Health Professions Regulation

6/19/02

Dated: _____